

REMARKS

Claims 145-186 were presented for examination and remain pending in the present application. Applicant thanks Examiner Hale for her time on October 17, 2003 to discuss the present application.

The outstanding Office Action subjected pending claims 145-186 to restriction as follows: Species I, a brassiere and Species II, a panty. Claims 148-153, 156, 159, 163-167, 170, 173, 177-180, and 186 were indicated as being generic.

Applicant elects Species I, with traverse.

Applicant respectfully traverses the assertion that claims 158, 172, and 185 correspond to Species II. Rather, it is respectfully submitted that 158, 172, and 185 are generic. Claims 158, 172, and 185 each require, in part, a continuous closed tubular undergarment.

It is respectfully submitted that continuous closed tubular undergarments include brassieres (e.g., Species I) and panties (e.g., Species II). By way of example only, Figures 14, 15a, and 15b each illustrate continuous closed tubular brassieres, while Figure 17 illustrates a continuous closed tubular panty. Thus, it is respectfully submitted that claims 158, 172, and 185 are generic to the brassiere of Species I and the panty of Species II.

It is believed that the outstanding Office Action inadvertently failed to indicate claims 145 and 184 as being generic. More specifically, the outstanding Office Action

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failed to assert that claims 145 and 184 were within either Species I or Species II. Thus, it is believed that claims 145 and 184 are generic to the brassiere of Species I and the panty of Species II.

Claims 160 and 174 were listed as corresponding to both Species I and Species II. Claims 160 and 174 have been amended to correspond only to Species I.

In sum, Applicant's election of Species I is believed to encompass claims 145-146, 148-154, 156-168, and 170-186 in which claims 145, 148-153, 156, 158-159, 163-167, 170, 172-173, 177-180, and 184-186 are generic.

Applicant respectfully reserves the right to consideration of non-elected dependent claims 147, 155, and 169 upon allowance of a generic claim as provided by 37 CFR 1.141.

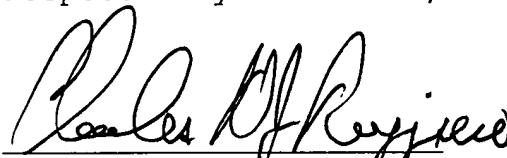
In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is most earnestly solicited.

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If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below for an interview.

Respectfully submitted,

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